

MULBERRY Q&A SESSION NOTES

April 29, 12:00-1:30pm & 6:00-7:30pm

East Mulberry Corridor Plan – The Basics

- The East Mulberry Corridor Plan is three-pronged project studying:
 - Land-use/transportation for the future of the East Mulberry corridor
 - Financial analysis to model costs and benefits of potential annexation
 - Implementation strategy for potential annexation and how to achieve the vision and goals of the corridor plan.
- The Plan update process is meant to create partnerships and a shared purpose between the City and corridor stakeholders to leverage the current successes, character, and identity of the corridor.
- No decision has been made whether to annex portions of the Mulberry Corridor; the corridor plan will study this issue. Any annexations are more than a year away if they occur.
- Part of the update process is determining how best to balance a big-picture vision and the unique opportunities and challenges in the area. There are multiple tensions to consider.
- Update process is just beginning and will be taking place over the next year. The current stage is all about exploring existing conditions and understanding important topics from stakeholders.
- Later phases will look at visioning for the corridor, potential annexation phases, prioritization, and implementation actions, and ultimately a draft plan towards the end of 2021.
- There will be many opportunities and venues for participation and collaboration in the process over the next year. Ultimately, the Fort Collins City Council will be the decision maker whether to adopt an updated East Mulberry Corridor Plan or any future annexations.

About the East Mulberry Enclave & Annexation

- City has a Growth Management Area (GMA), established in 1980 with Larimer County. Signals where the City may grow into the future and provide urban-level services.
- Typically, Fort Collins' annexation areas have been to the south as new greenfield development occurred. In East Mulberry, there is an existing community, identity, and development in place which makes any potential annexation unique.
- East Mulberry Enclave was formed in 2019 – represents the areas of unincorporated Larimer County that are completely surrounded by the City Boundaries.
 - Enclave boundaries are different from the overall corridor plan boundary, which includes some areas already in City limits.

Q&A – Pre-submitted Questions

Will the streets be repaired upon annexation?

- The City is still evaluating the conditions of streets within the enclave and collaborating with Larimer County to study maintenance history. Too early to determine what repairs will take place and when upon any annexation just yet.

Will I be required to pay for street/sidewalk improvements?

- The City could use existing sources to help look at street and sidewalk improvements. There typically is not a direct fee by residents. Most new streets or sidewalks are constructed when major development occurs along a property's frontage.

- Some areas of the City have previously formed special districts to levy special taxes or fees specifically for street improvements.

Will my property taxes change? What about sales tax?

- The City collects a 9.79 mill, primarily to fund the Poudre Fire Authority. Because the corridor is already in Poudre Fire Authority's service area and already pays a similar mill levy, property taxes would be nearly identical before and after any annexation.
- The City would begin to collect its 3.85% sales tax upon any annexation. Short-term rentals and lodging would also have additional tax that applies in the City.

Link to annexation FAQs on the sales tax website:

<https://www.fcgov.com/salestax/pdf/potential-mulberry-annexation-faqs.pdf>

How will my stormwater fee change?

- The City collects stormwater fees to help fund capital improvement stormwater projects around the community. These fees would begin to be collected after annexation and are based off lot sizes/impervious areas.
- East Mulberry has a lot of stormwater drainage issues and there are several floodplains running through the area and those issues would be incorporated into the City's planning and prioritization process for stormwater improvements.
- City is already working on master-planning for those drainages so there is a plan for the future on how to improve areas that are prone to flooding; improvements would not happen immediately upon annexation.

Link to Residential Rates: <https://www.fcgov.com/utilities/residential/rates/stormwater>

Link to Commercial Rates: <https://www.fcgov.com/utilities/business/manage-your-account/rates/stormwater>

Will stormwater infrastructure be updated and improved upon annexation?

- Not immediately upon annexation. There is about \$750,000 of existing maintenance that needs to be done to ensure the functionality of the existing systems in the corridor. City Council would need to appropriate funds for this level of maintenance funding.

How are stormwater infrastructure improvements funded?

- Smaller items can be funded with fees. Larger projects are presented to City Council for appropriate of resources/funding.

What efforts occurred to notify businesses and stakeholders about this event?

- Sent out postcard to properties in the enclave area. Relying on online tools and press releases especially during COVID conditions.
- Collecting contact information for those who want regular updates via email, phone numbers.
- Working with the Chamber of Commerce to help get the word out with their members.

How will Safety/Police Services change? Will Fort Collins Police Services address existing safety concerns?

- Municipal police department works differently than a sheriff department which must cover a larger geographic area.

- Fort Collins Police Services (FCPS) would likely identify the East Mulberry Corridor as its own policing district. As it is likely the area would generate a similar call volume to our existing districts.
- There would be 24/7 staffing from officers in the area and there would be a seamless transition from Larimer County Sheriff to FCPS.
- Likely to be quicker response time and greater resources to bring to the area.
- Police services would engage with both residential and commercial stakeholders to learn about key issues and concerns in the area. Already working with the sheriff's office on conditions and understanding key issues, such as transiency, traffic issues, etc.
- Would be reasonable to expect 15-20 police officers for the area.

My business/residence is within a Special Improvement District (SID). Will this continue to exist?

- Generally, yes. When the Southwest Enclave annexation occurred about 10 years ago, there were many SIDs in that area that continued to live on after the annexation.
- Will be assessed during the process – more to come on viability of SIDs moving forward.

If I want to expand my business or change the use within a building I own, what will the implications be?

- Biggest difference would be going through the City's development review process rather than with Larimer County.
- There are various review processes based on how large of an expansion or change of use occurs.
- Will work with businesses to understand what standards would apply.

Will my business operations be affected by annexation?

- Operations would not be affected by annexation.
- Changes of use or expansions to a building or site could have an impact – this would be determined by the City's zoning and development standards.
- If your land use doesn't conform with City standards, you can still operate as you have been (forms of grandfathering).

Live Session Q&A

Is Countryside Park located in the annexation/enclave area?

- Yes, it is located in the enclave area.

In the 2002 plan, there were streetscape concepts and street network which indicate my property is would be split in half by a new road. What is the protocol for these types of impacts? Would there be compensation, relocation assistance, etc.?

- Will be evaluating the 2002 plan to see what types of ideas and recommendations would remain or be changed.
- Typically, those large transportation changes such as a new road would only occur when a property develops or redevelops.

What about bike lanes and bus routes? Will that type of connectivity be enhanced in the future? How would funding work?

- There is one transit route in the area currently (Route 14).
- Transit Master Plan recently adopted which anticipates increasing this frequency; Transfort already has experience serving areas outside municipal boundary.

- Always looking to use planning efforts like this to see what the desire is of the community to create those improvements.
- The plan will explore feasibility and funding resources are available to help implement a transportation vision for the East Mulberry Corridor.
- Two regional trails are shown in the East Mulberry Corridor area as part of the City's exiting Trails Master Plan.

Are there likely to be changes to zoning for properties under an annexation scenario?

- City has a guiding document called the Structure Plan which helps anticipate what City zoning would occur upon any annexation.
- The City is likely to focus on preserving zoning for existing industrial and residential areas and making the swap between Larimer County's zone districts and the City's – they're typically quite similar for these types of land uses.
- Likely to be similar zoning between what you are operating under currently and what would occur in the City after annexation.

Comment: CDOT along with FHWA developed guidelines for scenic byways-- I'd like to share those guidelines with staff and look at integrating those into these plans.

What is the end date that you foresee having the enclave annexed?

- No decision yet on any annexation at this point. It is both a policy and logistical decision.
- Could be a three year or more window for potential annexation phases. This is similar to the Southwest Enclave the City annexed in phases over a number of years.

Will there be a vote on annexation?

- Adoption of the Corridor Plan is independent of annexation and occurs by City Council.
- Annexation itself is also subject to a Council vote. Both City Council and/or citizens could refer the annexation issue to a general election.

Are there any plans to update canals so groundwater is not negatively impacting homes and businesses?

- Very aware of leaky irrigation ditches running through the area. These are not part of our floodplain master planning because they are designed to carry water.
- The canals are managed by ditch companies and it would involve us working with those companies and residents to fix the situation.
- City has no direct control over the irrigation canals.

Is there a plan around some of the safety issues with the hotels near I-25?

- Fort Collins officers frequently assist Larimer County Sherriff deputies on these types of calls and we are generally aware of the activity in the area.
- The plan leading up to possible annexation is working closely with the Sherriff department, business owners, nearby residents, on what is going on in the area and possible solutions and response strategies.
- Specific enforcement will come from what we learn. We have specialized teams in the agency that handle some of these types of issues.

Comment: It is beneficial to recognize Mulberry is the eastern terminus of a scenic byway and includes the historic Lincoln highway.

Comment: We should eliminate all of the frontage roads.

Will anything happen to the horse and farm animal properties in the corridor?

- The City has a number of zone districts that allow farm animals. Horses are not considered farm animals and one horse is allowed on properties per half acre in size.

How might well water be managed or regulated?

- Wells and septic are handled by the County and that would continue moving forward with any possible annexation. Feel free to reach out if you have specific questions about your property.

Is there anything on the airport? Will the final plan have recommendations on the former airport?

- Will be looking at that as part of the Corridor Plan. May be too early to mention specifics at this point.

Will my water or wastewater services change because of the annexation?

- No. The City of Fort Collins does not take over any other utility service except electric. ELCO will continue to provide water service after annexation. The transition will not impact the water utility or the service level being provided.

Will bike trails be installed in the area, specifically along Timberline or near the airport?

- The *2013 Multi-Use Recreational Trail Master Plan* indicates regional trails parallel to Timberline Road and connecting south to the Poudre Trail. A trail spur is also shown extending from the Timberline Trail up to the airport area. Construction of these identified trails occurs as funding is available, and at this time they are not anticipated to having funding available in the 2022-2023 budgets. Subsequent budget years will evaluate the construction of these trail segments.
- The City will be redoing our trails master plan in 2023 and will be taking another look at timing and alignment of these types of trails.

Will you be building new parks for kids? There are no parks currently in this area.

- The new Parks Mater Plan does indicate new future neighborhood parks and indicated some potential for new neighborhood parks in the area North of Mulberry near Greenfields. Those typically follow new development as their funding typically comes from new development fees.

Will there be improvements/beautification of medians and streetscapes?

- This has been an important topic that occurred in both the 2002 plan and in recent engagement efforts in 2018 with stakeholders in the corridor.
- Want to work with the community to see areas where these types of improvements make sense and what funding resources can be identified.

How would annexation affect Council districts?

- The City has requirements that no one district is more than 10% larger in population than others.
- Every 10 years the Clerk's office adjusts districts accordingly as growth or annexation occurs.
- If there are any adjustments to be made, it would likely be around District 1.

Lincoln & Timberline intersection is problematic. How would potential City annexation affect that intersection?

- The City’s Master Street Plan and the 2002 East Mulberry Corridor Plan talk about other opportunities to get to Mulberry Street without going through that intersection.
- Implementing new roads typically takes redevelopment opportunities to dedicate the right-of-way, or the City would install improvements as part of a large capital improvement plan.
- That area currently under initial stages of redesign with coordination from CDOT.

Is there an example of other areas in the City where noise abatement has been used?

This may depend on the context. There have been instances where screening has been used along arterial streets to mitigate noise, or noise barriers for recreational uses, such as tennis courts. Staff can discuss specific concerns related to noise. There are currently decibel maximums for various uses within the City and they are measured and enforced on a complaint basis.

Outstanding Pre-Submitted Questions

What services and improvements will occur upon annexation and how will these be paid for?

- Because the project is still within the first phase, a complete list of services or improvements that would be available or made upon annexation is not yet available. However, there are a few that are known, including a “light switch” service change from Larimer County Sheriff’s department to Fort Collins Police Services for issues that occur within any annexed areas. Other known changes will be adding projects to the existing Capital Improvement list, including stormwater infrastructure updates, and some transportation improvements. Light & Power would also begin to acquire electric infrastructure from Xcel energy and, at some point, begin the process of undergrounding electric utility lines. A timeline for these improvements will become clearer as the project progresses and the financial analysis is completed. We expect this information will be discussed within the third phase of the project, September or October of 2021.

Are any specific infrastructure improvements planned at this time (roads, sidewalks, crosswalks, etc.)?

- There are currently no plans to improve infrastructure at these intersections, though these priorities can change as the Master Street Plan and Capital Project priorities are updated.

How do businesses and residents know what cost and improvement implications there will be for them? Will improved standards for appearance apply to everyone that is annexed?

- We did receive several detailed questions about things like sidewalk improvements, Utilities, Climate Action Plan goals, Municipal Code Enforcement (screening, inoperable vehicles, etc). A brief explanation will be added here related to those, but more information will be added to the Webpage FAQ soon as well with more detailed answers.
- Sidewalks are usually rebuilt or added during redevelopment. There are also Special Improvement Districts (SIDs) that have been formed between residents/business owners to tax themselves within the area to increase funds to improve streets and sidewalks, however the City does not have plans to impose any special tax districts at this time. If you are planning to redevelop your building in the future, City staff would be happy to go over your specific situation with you in detail to understand requirements for your specific site. Otherwise, no fees will be assessed for sidewalks in residential, industrial or commercial areas upon annexation.
- If a business or resident is currently being served through ELCO/Box Elder for sanitation or water, this will continue.

- Code Compliance of screening or other code requirements for this area will be addressed during the “Visioning phase” where staff will work to understand concerns and attempt to mitigate impacts to businesses. Some possibilities may include amortization for compliance, or compliance required over time rather than right away, or some more flexibility within the existing Industrial Zone District within the Land Use Code or Municipal Code requirements.

How can I get more detailed information on the framework Plan Overlay? Specifically what intersection changes you have planned for NEC of Mulberry and Link Lane. I also need to understand the reasoning you have to take out existing essential businesses for realigning a frontage road.

- This question pertains to the access control plan that’s been in place for SH 14. The image below shows the reconfiguration of the frontage road to provide more separation from the frontage road to Mulberry itself. A direct link to the image can be found here: https://www.fcgov.com/fcmoves/pdf/sh14_9.pdf. The link to the overall pages of the access control plan can be found here: <https://www.fcgov.com/fcmoves/sh14#:~:text=The%20US%20287%2FSH%2014,important%20ocal%20and%20regional%20corridor.>
- The link below speaks to how these things get implemented. This plan would likely occur only in the case of re-development, though there is a small chance that it would occur through capital funding through the City or Larimer County. It is likely that this would occur through redevelopment and would not occur through capital project funding. Therefore, for this to occur, a property owner here would need to propose a large enough redevelopment plan for this plan to be implemented. City staff would be happy to discuss this in more detail individually. https://www.fcgov.com/fcmoves/pdf/sh14_11.pdf?

And what relationship do you form with ELCO and FC Utilities to handle future water supply in this area?

- The City of Fort Collins works with ELCO on a regular basis through development review and other processes at the City. Staff assumes that relationship would continue. Residents or businesses that are currently served by ELCO will remain that way.

Will there be restrictions on what types of businesses can operate in this area? For instance: Will businesses that tend to be noisier, dirtier and require heavy machinery have additional restrictions placed on them?

- It is very likely that much of the existing land uses will continue to exist upon annexation. That said, there may be some requirements that are different from those within Larimer County’s zone districts. There may be a case in which additional allowable uses are added to the Industrial zone district because of this plan update, however that has not yet been determined. If the business is annexed and is considered non-conforming, it would likely be allowed to remain until the owner decided to redevelop the property or upon sale of the property. City staff would be happy to individual property questions.

Do you foresee exterior building improvements/requirements coming to fruition with this Plan?

- Upon annexation, it is unlikely the City would require businesses to make immediate building or sign improvements. This is something that will be explored during the “Visioning” process.

Will there be penalties for exterior storage of various types of equipment?

- The City's Municipal Code does have outdoor storage rules that could be enforced. However, it this is something that is being explored through the "Visioning" phase of the plan update. City staff is aware that this could have implications for many businesses within the area. City staff is happy to discuss individual properties.

Is there a plan to make any of this new area "paid parking" or "metered parking"?

- Not at this time, however if this is something the business community would like to explore, City staff would be open to this discussion.

Can you expand on the landscaping/beautification and sidewalk part of this Plan?

- Landscaping is generally not required to be updated unless a building is being redeveloped through private action by the owner. Invasive weeds and tall grass are enforced through the Code Compliance team in residential areas. The Municipal Code also has regulations related to outdoor storage and inoperable vehicles, in addition to screening of such items. As mentioned in a previous question, these regulations will be explored in the "Visioning" phase of the plan and considered by City staff.

Annexation would only hurt my business I would like to know how to oppose it. Do we get to vote on annexation? Do homeowners get a say in whether or not they approve or disapprove? How else are residents being informed of this takeover?

- Because of the agreement established between the City of Fort Collins and Larimer County, known as the "Intergovernmental Agreement," this area can be annexed by the City without a vote by those within the area. City Council will be the ultimate decision-maker for this annexation process and the Council will take public comment at the hearing for this process. However, City staff hopes business owners/employees and residents will participate in the plan update process and voice opinions, questions, and concerns to City staff during the process. This will help staff to understand the concerns of business owners and try to mitigate impacts in the process.

When will the Countryside neighborhood be annexed? Can the neighborhood decline to be annexed? All the streets, storm water, etc. in the neighborhood are not up to city code. After being annexed will the city update all those things? And in doing so, what cost of those things will be put on the homeowners of the neighborhood?

- The Countryside neighborhood is within the annexation area. City staff would be happy to meet with Countryside neighbors to discuss questions and concerns regarding annexation and any potential infrastructure improvements.

Will access to my business change? What will the cost to me be for landscape curb and gutter? We have customers with camper and livestock trailers will there still be parking along frontage road? Will my property taxes go up? Will I need to bring my building up to city requirements? What are the advantages for businesses to be annexed?

- Unless redevelopment occurs through private action, it is unlikely that requirements or infrastructure changes will be made to frontage roads in the area.
- Property taxes are anticipated to change very little through annexation.
- Buildings that are going through redevelopment or major renovations will need to be brought up to City code standards. However, this is determined on an individual basis. City staff would be happy to talk about individual buildings.

- Advantages to being annexed into the City may vary widely by property owner. Some advantages may include patrol by Fort Collins Police Services, eventual “undergrounding” of the electrical utilities, some major infrastructure improvement projects being added to the Capital Improvement plan, eventual availability of municipal broadband service through Connexion and other possible advantages. City staff would be happy to discuss these with individual business owners or residents, or groups.

How many total dollars will be generated from additional 3.8% sales tax from this annexed area?

- There is currently a financial analysis being conducted to address this question. However, the annexation is not anticipated to be a net gain to the City’s budget given the service needs within the area.

Will this annexation result in properties being subject to Building Energy & Water Scoring (BEWS)?

- Buildings that undergo redevelopment will be subject to existing building code standards and other LID or water saving requirements.

The project webpage shows the Business Focus Group notes from August 2020, but the links are not active; can you please activate that link or send them out via email?

- Thank you for mentioning this! This was a staff oversight (added as a placeholder). These will be added within the next week.